

JS 44C/SDNY
REV. 07/08/16

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

704034
Sullivan Fox

PLAINTIFFS

Coleen Denise Colombo, Isabel Guajardo, Linda Howard-James,
Cheryl McNeil, Michelle Seymour, Sylvia Vega-Sutfin

DEFENDANTS

Lehman Brothers Holdings, Inc., BNC Mortgage, LLC

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
Mark S. Bostick, Wendel Rosen, Black & Dean
1111 Broadway, Oakland, CA 94607 (510) 622-7512

ATTORNEYS (IF KNOWN)
Jacqueline Marcus, Weil, Gotshal & Manges LLP
767 Fifth Ave.
New York, NY 10153

(Continued on attached)

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)

(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

**Appeal of Claimants to Order Granting Objection to the Four Hundred Thirty-First Omnibus Objection to Claims (Doc #55327),
filed in the United States Bankruptcy Court, Southern District of New York, Case No. 08-13555.**

Judge Previously Assigned

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No Yes If yes, was this case Vol. Invol. Dismissed. No Yes If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No Yes

(PLACE AN [X] IN ONE BOX ONLY)

NATURE OF SUIT

		TORTS	ACTIONS UNDER STATUTES			
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
[] 110 INSURANCE	[] 310 AIRPLANE	[] 307 HEALTHCARE/PHARMACEUTICAL PERSONAL	[] 625 DRUG RELATED	X 422 APPEAL	[] 375 FALSE CLAIMS	
[] 120 MARINE	[] 315 AIRPLANE PRODUCT LIABILITY	INJURY/PRODUCT LIABILITY	SEIZURE OF PROPERTY	28 USC 158	[] 376 QUI TAM	
[] 130 MILLER ACT	[] 320 ASSAULT, LIBEL & SLANDER	[] 365 PERSONAL INJURY	21 USC 881	[] 423 WITHDRAWAL	[] 400 STATE REAPPORTIONMENT	
[] 140 NEGOTIABLE INSTRUMENT	[] 330 FEDERAL EMPLOYERS' LIABILITY	[] 368 ASBESTOS PERSONAL INJURY	[] 690 OTHER	28 USC 157	[] 410 ANTITRUST	
[] 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	[] 340 MARINE	PRODUCT LIABILITY			[] 430 BANKS & BANKING	
[] 151 MEDICARE ACT	[] 345 MARINE PRODUCT LIABILITY	PERSONAL PROPERTY			[] 450 COMMERCE	
[] 152 RECOVERY OF DEFOLTED STUDENT LOANS (EXCL VETERANS)	[] 350 MOTOR VEHICLE	[] 370 OTHER FRAUD			[] 460 DEPORTATION	
	[] 355 MOTOR VEHICLE	[] 371 TRUTH IN LENDING			[] 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)	
[] 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS	[] 360 OTHER PERSONAL INJURY	[] 380 OTHER PERSONAL PROPERTY DAMAGE	LABOR	[] 480 CONSUMER CREDIT		
	[] 362 PERSONAL INJURY - MED MALPRACTICE	[] 385 PROPERTY DAMAGE	[] 710 FAIR LABOR STANDARDS ACT	[] 490 CABLE/SATELLITE TV		
[] 160 STOCKHOLDERS SUITS		PRODUCT LIABILITY	[] 720 LABOR/MGMT RELATIONS		[] 850 SECURITIES/COMMODITIES/EXCHANGE	
[] 190 OTHER CONTRACT	PARTICIPANT PETITIONS		[] 740 RAILWAY LABOR ACT		[] 890 OTHER STATUTORY ACTIONS	
[] 195 PRODUCT LIABILITY	[] 463 ALIEN DETAINEE		[] 751 FAMILY MEDICAL LEAVE ACT (FMLA)		[] 891 AGRICULTURAL ACTS	
[] 196 FRANCHISE	ACTIONS UNDER STATUTES	[] 510 MOTIONS TO VACATE SENTENCE				
	CIVIL RIGHTS	28 USC 2255	[] 780 OTHER LABOR LITIGATION	[] 870 TAXES (U.S. Plaintiff or Defendant)	[] 893 ENVIRONMENTAL MATTERS	
		[] 530 HABEAS CORPUS	[] 791 EMPL RET INC SECURITY ACT (ERISA)	[] 871 IRS-THIRD PARTY	[] 895 FREEDOM OF INFORMATION ACT	
		[] 535 DEATH PENALTY	26 USC 7609		[] 896 ARBITRATION	
		[] 540 MANDAMUS & OTHER			[] 898 ADMINISTRATIVE PROCEDURE ACT/REVIEW OR APPEAL OF AGENCY DECISION	
REAL PROPERTY	[] 440 OTHER CIVIL RIGHTS (Non-Prisoner)				[] 950 CONSTITUTIONALITY OF STATE STATUTES	
			IMMIGRATION			
[] 210 LAND CONDEMNATION	[] 441 VOTING	PRISONER CIVIL RIGHTS	[] 462 NATURALIZATION APPLICATION			
[] 220 FORECLOSURE	[] 442 EMPLOYMENT		[] 465 OTHER IMMIGRATION ACTIONS			
[] 230 RENT LEASE & EJECTION	[] 443 HOUSING/ACCOMMODATIONS	[] 560 CIVIL RIGHTS				
[] 240 TORTS TO LAND	[] 445 AMERICANS WITH DISABILITIES - EMPLOYMENT	[] 565 PRISON CONDITION				
[] 245 TORT PRODUCT LIABILITY	[] 446 AMERICANS WITH DISABILITIES - OTHER	[] 560 CIVIL DETAINEE CONDITIONS OF CONFINEMENT				
[] 260 ALL OTHER	[] 448 EDUCATION					
	REAL PROPERTY					

Check if demanded in complaint:

 CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?
IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint
JURY DEMAND: YES NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN X IN ONE BOX ONLY)

<input type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from (Specify District)	<input type="checkbox"/> 6 Multidistrict Litigation (Transferred)	<input checked="" type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge Magistrate Judge Bankruptcy Court
<input type="checkbox"/> a. all parties represented						
<input type="checkbox"/> b. At least one party is pro se.						<input type="checkbox"/> 8 Multidistrict Litigation (Direct File)

(PLACE AN X IN ONE BOX ONLY)

1 U.S. PLAINTIFF 2 U.S. DEFENDANT 3 FEDERAL QUESTION 4 DIVERSITY
(U.S. NOT A PARTY)

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	<input type="checkbox"/> PTF <input checked="" type="checkbox"/> DEF [] 1 [] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	<input type="checkbox"/> PTF DEF [] 3 [] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	<input type="checkbox"/> PTF <input checked="" type="checkbox"/> DEF [] 5 [] 5
CITIZEN OF ANOTHER STATE	<input type="checkbox"/> 2 <input checked="" type="checkbox"/> 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	<input type="checkbox"/> 4 <input checked="" type="checkbox"/> 4	FOREIGN NATION	<input type="checkbox"/> 6 <input checked="" type="checkbox"/> 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.
DO NOT check either box if this is a PRISONER PETITION/PRISONER CIVIL RIGHTS COMPLAINT.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: WHITE PLAINS MANHATTAN

DATE May 23, 2017

SIGNATURE OF ATTORNEY OF RECORD
Mark S. Bostick

ADMITTED TO PRACTICE IN THIS DISTRICT

NO
 YES (DATE ADMITTED Mo. _____ Yr. _____)
Attorney Bar Code #

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)

ATTACHMENT TO CIVIL COVER SHEET

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

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